



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/340,328 10/06/95 KENNEDY

J VAI-1

SCHAEFER	EXAMINER
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F3M1/0321

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ART UNIT	PAPER NUMBER
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3304

DATE MAILED:

03/21/96

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/540,328

Applicant(s)

Kennedy

Examiner

James Schaaf

Group Art Unit

3304



- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-13 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-13 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Part III DETAILED ACTION

1. Claims 1-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 8, 10, and 12, it is unclear if "a personal computer assembly" is only meant to be defined by the structure in the claims or if more limitations are implied in making a computer "personal".

Claims 1, 10, and 12, the phrases "configured to receive, via a said at least one data input port and said input/output system, data carried by the interface signals" and "configured to receive, via a data input port and said input/output system, data carried by the interface system" are indefinite. It is unclear if the claim is meant to limit all the data must enter from a single port, all the data must enter from one or more ports, or that some of the data must enter at least one port.

Claims 1, 5-6, 10, and 12, the metes and bounds of a "data input port" are indefinite. It is not clear if the data input port is merely meant to be a location where the computer imports external data, or if further structure is implied. For instance, does a hardwired data bus include a data input port where it interfaces with the computer?

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Claim 13, the phrase "a ticket dispenser housed by said cabinet proximate said independent player stations" is indefinite. It is unclear if "proximate said independent player stations" refers to the ticket or the cabinet. If the phrase modifies to the cabinet, "said cabinet proximate..." lacks antecedent basis. If phrase modifies the dispenser the metes and bounds of "proximate said independent player stations" are not well defined.

Claims 2-3, 7, 9, and 11 are rejected as dependent on rejected claims.

Due to the informal nature of the claims, the examiner has applied the prior art as best as can reasonably be determined.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 6-7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fongellaz et al.

Note that the independent player stations are the areas in front of each joystick.

4. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in

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section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

5. Claims 2-3 and 8 are rejected under 35 U.S.C. § 103 as being unpatentable over Fongeallaz et al.

Regarding claims 2-3, Fongeallaz et al. discloses all the aspects of the instant invention except buffer device in the interface assembly. However, it was well known in the art to use buffers with input devices so that if more input is entered than the computer can immediately process the information entered would not be lost. It would have been obvious to modify Fongeallaz et al. with an input buffer for that purpose.

Regarding claim 8, video blackjack programs in which a single player plays against a computer dealer to simulate casino blackjack are well known. Furthermore, casino blackjack games where multiple players play against the same dealer and can see each others cards are well known. It would have been obvious to have a multiple player video blackjack game instead of the horseracing game of the combination in order that the blackjack

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players could have a better simulation of casino blackjack. Note that blackjack poses little problems other than the control interface to multiple player electronic use as the dealer (i.e. the computer) acts independently of player actions and since the players can freely see each other's cards (in some rule variants).

6. Claims 4-5 and 9-13 are rejected under 35 U.S.C. § 103 as being unpatentable over Fongeallaz et al. as applied to claims 2-3 and 8 above, and further in view of Lipson.

Fongeallaz et al., as modified, above lacks a currency acceptor at the corresponding player station and a cabinet housing. Lipson discloses a game with multiple player stations with coin acceptors. Official notice is taken that games existed at the time of the invention where the coin slots were associated with a specific corresponding player position, though such games were not for wagering purposes. It would have been obvious to use Fongeallaz et al. an arcade style cabinet including currency acceptors so that patrons could be charged for the game. It would further be obvious to have the coins slots associated with specific positions so that the credits of differing players could be differentiated.

Absent criticality or unexpected results, start switches, having the interface assembly receive the input signals and output output signals, and having the processor receive the

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currency output signals via an input port and an input/output system are deemed design choices which can not serve to define patentability.

Regarding claim 13, the combination lacks a ticket dispenser housed by the cabinet proximate the player stations and a printing mechanism. Ticket dispensers and printing mechanisms were known so that players could redeem the tickets for prizes. It would have been obvious to place such a dispenser and printing system on the combination so that players could receive prizes. It further would have been obvious to place such a system close to the players so that they could reach them if one wanted to only one system in order to save money.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Leung, Robbins, and Naka et al. are directed to other examples of personal computers using multiple inputs via a single data port.

Morrow is directed to a cabinet housing for a home computer.

Lennon, Jr. is directed to a conversion of a home computer to a coin-operated computer.

Hagiwara is directed to a gaming system where multiple players play the same gambling game at different stations.


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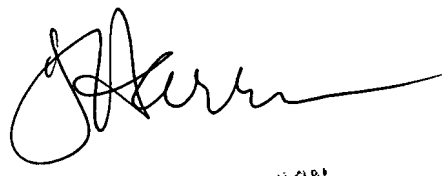
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Neal is directed to a game which may be played "on a video machine with one or more players" (col 1 lines 52-53).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Schaaf whose telephone number is (703) 308-3397



James Schaaf
March 13, 1996



JESSICA J. HARRISON
PRIMARY EXAMINER
GROUP 3300